

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

IN RE:)
 RUSSELL A. BROOKS) **CASE NO. 15-80927**
 ALISHA D. BROOKS) **CHAPTER 13**
 SSN:xxx-xx-0397 SSN:xxx-xx-9754)
 DEBTOR(S).)

**MODIFIED PLAN AND SUMMARY, NOTICE OF
INCORPORATION OF TERMS OF ORIGINAL PLAN AND
STATEMENT OF MATERIAL CHANGES TO TREATMENT OF CLAIMS**

Comes now the Trustee and files his First Modified Plan and Summary, Notice of Incorporation of Terms of Original Plan and Statement of Changes to Provisions of Secured Claims.

1. The Trustee has attached to his First Modified Plan and the Summary which provides for a term of 60 months.
2. All terms contained in the Confirmed Plan (except the Summary) as Confirmed by the Court on **November 5, 2015** (Docket Entry # 31) are incorporated by reference.
3. Pursuant to 11 U.S.C. §1329(b)(2) the Modified Plan and Summary attached hereto and the terms of the Original Plan (except the Summary) as incorporated herein become the plan.
4. Only the following secured claims have been affected by the modifications contained in the Amended Summary attached:

Creditor	Collateral	Description of the Change
American Financial Resources	Pre & Post-petition arrears on home	No payments will be made to creditor

Ford Motor Credit	2006 Ford Escape	No payments will be made to creditor
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5. The distribution to Unsecured creditors changed from 0 % to 49.07 % due to the modifications.

Dated: March 7, 2016

/s/ William Mark Bonney

**A MODIFIED SUMMARY
MUST BE ATTACHED.**

William Mark Bonney, OBA #12221
Chapter 13 Trustee
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Trustee@edok13.com

Summary of Plan

Use for Modified Plans for Post-BAPCPA Cases

Russell & Alisha Brooks

Case No. 15-80927

Dated: 3/7/2016

Class	Description of Collateral	Creditor	Amount of Secured Claim	Acct. No.	Interest Rate	Beg Mo	End Mo	Monthly Payment	Paid By Trustee/ Debtor	Total Mos Paid	Total Amt. Paid by Trustee
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.B.								\$0.00	Trustee	1	\$0.00
I.B.								\$0.00	Trustee	1	\$0.00
I.B.								\$0.00	Trustee	1	\$0.00
I.B.								\$0.00	Trustee	1	\$0.00
II.A.	Mortgage	American Financial Resources	\$ 118,202.95		contract	6	60	\$955.35	Trustee	55	\$52,544.25
II.B.								\$0.00	Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.A.									Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.B.			\$ -					\$0.00	Trustee	1	\$0.00
II.A.									Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.B.			\$ -					\$0.00	Trustee	1	\$0.00
II.A.									Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.B.			\$ -					\$0.00	Trustee	1	\$0.00
III.A.									Trustee	1	\$0.00
III.B.									Trustee	1	\$0.00
III.C.									Trustee	1	\$0.00
IV.A.	Attorney Fees	Terry Bigby							Trustee		\$2,860.00
IV.B.									Trustee		
IV.B.									Trustee		
IV.B.									Trustee		
IV.B.									Trustee		
IV.B.									Trustee		
Total											\$55,404.25

Class V Executory Contracts:

There are no other executory contracts.

Applicable Commitment Period

Plan Term	Beg	End	Mo Pmt	# Mos	Amt. Paid
36	60	1	2	\$1,545.00	Debtor 2 \$3,090.00
		3	60	\$1,552.00	Debtor 58 \$90,016.00
				\$0.00	Debtor 1 \$0.00
					Debtor 1 \$0.00
TOTAL AMOUNT PAID INTO PLAN					\$93,106.00
Trustee Fee (10%)					\$9,310.60
Total paid to Class I, II, III, IV.A and IV.B. creditors above					\$55,404.25
Amount to be paid to Class IV.C. Unsecured Claims:					\$28,391.15
Amount by which plan is not feasible (If positive then plan is feasible).					(\$0.00)

*If amount paid to Class IV.C. claims (non-priority unsecured creditors) is zero then actual percent is zero.

ABOVE MEDIAN DISPOSABLE INCOME CALCULATION:

Monthly Net Disposable Income: (Form 22C, L. 59)

Disposable Income to Unsecured Creditors Amount (DITUC): \$0.00

Amount available to all Creditors under Chapter 7:

Total Priority Claims: \$0.00

Chapter 7 Test Amount: \$0.00

Greater of Below Median DITUC or Chapter 7 Test Amount: \$0.00

Greater of Above Median DITUC or Chapter 7 Test Amount: \$0.00

Amount Debtor Proposes to Pay to Class IV.C. Claims: \$28,391.15

(Must be more than Greater of DITUC or CH 7 Test)

Amount to Class IV.C. Claims: \$28,391.15

Estimated Payment to Unsecured Creditors:

Class IV.C. Claims per Sch. F \$57,858

Claims Relegated to Class \$0

Total Class IV.C. (Non-Priority Unsecured) Claims \$57,858

Required Amount to Class IV.C. Claims \$28,391.15

Estimated Percentage to Class IV.C. Claims: 49.07%

BELOW MEDIAN DISPOSABLE INCOME CALCULATION:

Amount paid in months 1 to 36 by Debtor: \$55,858.00

Less Trustee Fee: \$5,585.80

Less payments to Creditors: \$55,404.25

Net to Class IV.C Claims: \$0.00

Class	Desc. of Collateral	Creditor	Location
I.C.			
I.C.			
I.C.			
I.C.			
I.C.			

The Debtor(s) shall make the following loan repayments to qualified plans and/or direct payments on domestic support obligations.

Monthly Payment	Creditor

Comments:

The total amount of the distributions to unsecured claims may increase or decrease depending upon the total trustee fees actually paid and the total regular monthly mortgage payments actually paid.